

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Diane Meyer,

Plaintiff,

v.

Case No. 1:09cv223

Commissioner of Social Security,

Judge Michael R. Barrett

Defendant.

**ORDER**

This matter is before the Court on the Report and Recommendation ("R&R") filed by the Magistrate Judge on September 14, 2010. (Doc. 19)

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the R&R in a timely manner. *See United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Counsel for the Commissioner informed the Court that Defendant did not intend to file objections to the R&R.

Having reviewed this matter *de novo* pursuant to 28 U.S.C. 636, this Court finds the Magistrate Judge's R&R to be correct. Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge (Doc. 19) is hereby **ADOPTED**. Accordingly, this matter shall be **REVERSED and REMANDED** pursuant to Sentence Four of the 42 U.S.C. § 405(g) consistent with this opinion. The Clerk is hereby **DIRECTED** to administratively close this matter.

**IT IS SO ORDERED.**

/s/ Michael R. Barrett  
Michael R. Barrett  
United States District Judge